

THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

W.P.No.19351 of 2005

Date:02.09.2005

Harun Sri

-----Petitioner

The Regional Transport Authority and another

-----Respondents

ORDER:

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The petitioner is the owner of a Jeep bearing No.AP-22-U-3393. It was inspected on 20.07.2005 by the 2nd respondent. It was found that the tax payable for two quarters ending with 30.06.2005 and 30.09.2005 were not paid and that certain other violations have also been noticed. The 2nd respondent tentatively indicated that the petitioner is required to pay a sum of Rs.10,800/- towards tax due, Rs.12,150/- towards penalty and Rs.2,025/- towards compounding fee. The vehicle was seized on the basis of the Check. The petitioner challenges the same.

Heard the learned counsel for the petitioner and the learned Government Pleader for Transport.

The questions as to whether the petitioner is liable to be imposed any penalty for non-payment of tax and whether he had committed any other violations, need to be considered in the proceedings, that may be initiated by issuance of notice. As of now, the petitioner is liable to pay tax for two quarters, indicated above, amounting to Rs.10,800/-. The 2nd respondent himself indicated the compounding fee of Rs.2,025/-. The liability of the petitioner to pay the penalty of Rs.12,150/- can be decided at a later stage. The continued detention of the vehicle of the petitioner does not subserve the purpose, on the one hand, and it may result in loss to the petitioner, on the other.

For the foregoing reasons, the writ petition is disposed of, directing the respondents herein to release the vehicle bearing No.AP-22-U-3393, on payment of a sum of Rs.12,825/- (Rupees Twelve Thousand Eight Hundred and Twenty Five Only) representing the tax for two quarters and the compounding fee. There shall be no order as to costs.

02.09.2005

Note: Issue C.C. by tomorrow.

(B/o)

Jsu